



**BellSouth Telecommunications, Inc.**  
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**Dorothy J. Chambers**  
General Counsel/Kentucky

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January 5, 2005

Ms. Beth O'Donnell  
Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
P.O. Box 615  
Frankfort, KY 40602-0615

Case 2005-00021

**RECEIVED**

JAN 06 2005

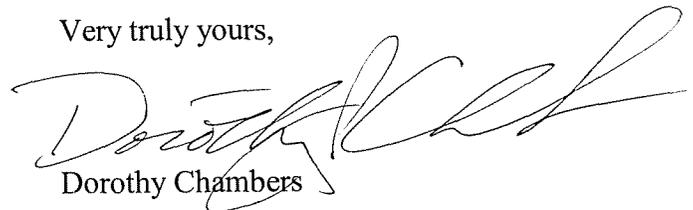
PUBLIC SERVICE  
COMMISSION

Re: BellSouth Telecommunications, Inc.'s Petition  
Requesting the Commission's Intervention in NANPA  
NXX Code Assignments (Shelbyville Rate Center, Area  
Code 502 - Commonwealth Bank)

Dear Ms. O'Donnell:

Enclosed are the original and ten (10) copies of BellSouth Telecommunications, Inc.'s  
Petition for Review of NXX Code Denial in the Shelbyville Rate Center.

Very truly yours,



Dorothy Chambers

Enclosures

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

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JAN 06 2005

PUBLIC SERVICE  
COMMISSION

In the Matter of:

BellSouth Telecommunications, Inc.'s )  
Petition Requesting the Commission's Intervention ) Case No. 2005-00021  
In NANPA NXX Code Assignments (NPA 502) )

**BELLSOUTH'S PETITION FOR REVIEW OF NXX CODE DENIAL**  
**IN THE SHELBYVILLE RATE CENTER**

BellSouth Telecommunications, Inc. ("BellSouth"), through its undersigned counsel, pursuant to the rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administrator ("NANPA"), petitions the Kentucky Public Service Commission ("Commission") for review of NANPA's denial of BellSouth's application for use of central office numbering resources in the 502 area code.

In support of this petition BellSouth states:

1. BellSouth is a telecommunications utility regulated by the Commission. It provides, among other services, intraLATA local exchange telecommunications services in the Commonwealth of Kentucky.
2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan ("NANP").  
See 47 C.F.R. Sec. 52.13 (a), (b).
3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization ("FCC 00-

104”). The goal of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of telephone numbers and to avoid further exhaustion of numbers under the NANP.

4. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier’s need for numbering resources by requiring carriers to report rate center based utilization data to NANPA, rather than switch-specific utilization data. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant’s rate center will exhaust within six (6) months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at para. 29 (rel. Dec. 29, 2000); FCC 01-362 at para. 48-49 (rel. Dec. 28, 2001).
5. The shift to a rate center basis for determining the need for new numbering resources was intended to “more accurately reflect how numbering resources are assigned” and to allow carriers “to obtain numbering resources in response to specific customer demands.” FCC 00-104, para. 105.
6. In addition to the months-to-exhaust (“MTE”) requirement described above, the FCC’s rules also require carriers to meet a rate center utilization threshold of seventy-five percent (75%) in order to receive additional numbering resources in a given rate center. FCC 00-429 at para. 22-26; FCC 01-362, para. 50. Based on the FCC’s orders, carriers must meet both the MTE requirement and the utilization threshold requirement on a rate center basis in order to obtain additional numbering resources. Id.

7. On December 28, 2004, BellSouth submitted a Central Office Code (NXX) Assignment Request (“Part 1”) and CO Code Assignment/Months-to-Exhaust Certification Request Worksheet to NANPA for the assignment of an NXX code needed to meet the numbering demands of Commonwealth Bank in Shelbyville, KY. The affected BellSouth customer will be served by the Shelbyville switch in the Shelbyville rate center. The application is attached hereto as Attachment 1.
8. BellSouth completed the application in accordance with the Industry Numbering Committee’s Guidelines and filled out the necessary Months-To-Exhaust Certification Worksheets as required.
9. The code assignment request was for a growth code in the 502 NPA to meet Commonwealth Bank’s request for 500 consecutive numbers. BellSouth, however, did not have sufficient number resources available within its inventory in the Shelbyville Rate Center that did not conflict with Commonwealth’s current dialing pattern and was unable to meet the customer’s specific request for numbering resources. At the time of the filing of the Code request, the Shelbyville Rate Center had an MTE of 32.75 and a utilization of 85.21%. BellSouth submitted this code request because the Shelbyville switch does not have a block of consecutive numbers that does not conflict with Commonwealth Bank’s current dialing pattern that is large enough to meet the customer’s needs. On December 28, 2004, NANPA’s Central Office Code Administration denied BellSouth’s code request on the grounds that BellSouth had not met the rate center based months-to-exhaust criterion now set forth in the Central Office (NXX) Guidelines.  
  
NANPA denied BellSouth’s code requests despite the fact that BellSouth does not

have adequate numbering resources needed to satisfy its customer's demands in the above referenced switch. NANPA's response (Part 3) is on the last screen of Attachment 1.

10. BellSouth's inability to provide this important customer – Commonwealth Bank - with the requested numbers prevents BellSouth from providing the quality of service this customer desires, needs, and expects. If BellSouth is not assigned the code needed to meet the customer's request, BellSouth will be unable to provide the telecommunications services requested by the customer.<sup>1</sup> NANPA's refusal to grant numbering resources sufficient to meet Commonwealth Bank's needs is inconsistent with the FCC's position that "[u]nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for a want of numbering resources." FCC 00-429 at para.61.
11. Both the FCC's rules and the Central Office Code (NXX) Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, para. 52.15(g)(4) ("The carrier may challenge the NANPA's decision to the appropriate state regulatory commission.") FCC 01-362 at para. 61-66; Central Office Code (NXX) Guidelines para. 13.0 ("Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code

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<sup>1</sup> BellSouth employs a number administration technique called "sequential numbering" in order to preserve the largest blocks of consecutive numbers for as long as possible. The lack of consecutive numbers in the switch referred to above is the consequence of a high level of utilization, not any failure on BellSouth's part to conserve blocks of consecutive numbers.

Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body”).

12. Prior to the FCC’s orders and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider’s inventory did not have a block of sequential numbers large enough to meet the customer’s specific request. Under today’s procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief “if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory.” FCC 01-362, para. 64. In addition, the FCC has ruled that, “States . . . may grant requests for customers seeking contiguous blocks of numbers.” Id.
13. BellSouth requests that the Commission reverse NANPA’s decision to withhold numbering resources from BellSouth. BellSouth’s request for numbering resources would not materially impact exhaustion of the remaining 72 NXXs available in the 502 area code.
14. This Commission, as well as the Commissions in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee have all previously addressed similar situations and ordered NANPA to provide BellSouth with the numbering resources, even though BellSouth was unable to satisfy the required months-to-exhaust criteria.

**WHEREFORE**, BellSouth requests that the Commission:

1. Reverse the decision of NANPA to deny BellSouth's requests for additional numbering resources,
2. Direct NANPA to provide the requested central office code for the switch identified herein, and
3. Grant the requested relief as soon as practicable.

Respectfully submitted this 5th day of January, 2005.



DOROTHY J. CHAMBERS  
601 W. Chestnut Street, Room 407  
P. O. Box 32410  
Louisville, KY 40232  
(502) 582-8219

COUNSEL FOR BELLSOUTH  
TELECOMMUNICATIONS, INC.

565764

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Address: https://www.nationalpooling.com/pas/frames-index.jsp

## Pooling Administration System

Sign Out

loretta.archer@bridge.bellsouth.com (SP)

### Request Resources

State:

NPA:

Rate Center:

OCN:

Type of Application:

Quantity of Blocks Requested:

**NOTE:**  
 If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will automatically migrate the request to the new NPA once the mandatory dialing date occurs

[Request For Resources](#)  
[New](#)  
[Modify](#)  
[Disconnect](#)  
[Block Transfer](#)  
[Confirm Blocks in Service \(Part-1\)](#)  
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[Submit Forecast](#)  
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**NEU STAR**

- Request For Resources
  - New
  - Modify
  - Disconnect
  - Block Transfer
- Confirm Blocks in Service (Part 4)
- Search Forms
- Submit Forecast
  - Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

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### Pooling Administration System

lorella.archer@bridge.bellsouth.com (SP) Sign Out

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**Part 1A**

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Type of Application : New

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**1.1 Contact Information :**

*Note: If any of the contact info is incorrect, edit your user profile.*

**Block Applicant :**

Company Name BELL SOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL  
Headquarters Address: 3535 Colonnade Pkwy  
City Birmingham  
State: AL  
Zip 35243

Contact Name Ms Loretta J Archer  
Contact Address 3535 Colonnade Pkwy  
City Birmingham  
Zip 35243  
Telephone (205) 968-8631  
E-mail lorella.archer@bellsouth.com

State AL  
Fax (205) 977-3043

**Pooling Administrator :**

Contact Name Ms Genevieve Paulino  
Contact Address 1806 Sutter St. Ste. 780  
City Concord  
Zip 94520  
Telephone (925) 363-7652  
E-mail genevieve.paulino@neustar.biz

State CA  
Fax (925) 363-7683



- Request For Resources
  - Home
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  - Disconnect
  - Block Transfer
- Confirm Blocks in Service (Part-1)
- Search Forms
- Submit Forecast
  - Create/Modify Forecast
- User Profile
- Donate Blocks
- Reprods

### 1.2 General Information

LRN Needed No	NPA 502	LATA * 462
	OCN 9119.BELLSOUTH SO CNTL	
Parent Company OCN *	9419	
Number of Thousands-Blocks Requested	1	
Switch Identification (Switching Identity/POI) *	SHVLKYMADSD	City or Wire Center Name SHELBYVILLE
Rate Center	SHELBYVILLE	Rate Center Sub Zone SHELBYVILLE

### 1.3 Dates

Date of Application	Tuesday, December 28, 2004
Requested Block Effective Date	28 Jan 2005
Request Expedited Treatment	<input type="radio"/> Yes <input checked="" type="radio"/> No

### 1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider *	Incumbent Local Exchange Carrier (ILEC)
b) Primary type of service Blocks to be used for *	Wireline
c) Thousands-Block(s) (NPA-NXX-X) assignment preference	
Click here to see the available blocks in the pool >>>	



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- Donate Blocks
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preference				
Click here to see the available blocks in the pool		>>>		Delete
d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any		>>>		Delete

e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool) H A

**1.5 Type of Request**

Initial block for rate center  Yes  
Growth block for rate center  Yes  
Change block H A  
Disconnect block H A

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines INC 99-0127-023

# Pooling Administration System

lorella.archer@bridge.bellsouth.com (SP) [Sign Out](#)

## Months to Exhaust and Utilization Certification Worksheet - TN Level

Date Tuesday, December 28, 2004  
OCN 9119  
Company Name BELL SOUTH TELECOMM INC DBA SOUTH CENTRAL BELL TEL  
Rate Center SHELBYVILLE

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX:(s)

(502) 633, 647, 844

Name of Block Applicant Ms Loretta J Archer  
Title Facility Specialist  
Telephone Number (205) 969-8681  
Fax Number (205) 977-3813  
E-Mail lorella.archer@bellsouth.com

A Available Numbers \* 2735  
B Assigned Numbers \* 17799  
C Total Numbering Resources \* 20888  
D Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation \* 0

- Request For Resources
  - New
  - Modify
  - Disconnect
  - Block Transfer
- Confirm Blocks in Service (Part 4)
- Search Forms
- Submit Forecast
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- Donate Blocks
- Reports

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# NEU STAR

- Request For Resources
  - Home
  - Modify
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List excluded Code(s) or Block(s)

No blocks with the last 4 digits beginning with 0, 1, 2 or 9.

E Growth History - Previous 6 months<sup>2</sup>

Month 1	58	Month 2	19
Month 3	46	Month 4	193
Month 5	27	Month 6	158

F Forecast - Next 12 months<sup>3</sup>

Month 1	84	Month 2	84
Month 3	84	Month 4	84
Month 5	84	Month 6	84
Month 7	84	Month 8	84
Month 9	84	Month 10	84
Month 11	84	Month 12	84

G Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) **84,000**



- Request For Resources
  - Request
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Month 9	84	Month 10	84
Month 11	84	Month 12	84

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) 84.000

H. Months to Exhaust<sup>4</sup> (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
I	2735	32.560
I Utilization <sup>5</sup> (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100		85.212

Explanation

- 1 A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document
- 2 Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month
- 3 Forecast of TNs needed in each following month, starting with the most recent month as Month #1
- 4 To be assigned an additional thousands block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months (FCC 00-104, § 52.15 (g)(3)(ii))
- 5 Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

# Pooling Administration System



- Request For Resources
  - New
  - Modify
  - Disconnect
  - Block Transfer
- Confirm Block(s) in Service (Part 4)
- Search Forms
- Submit Forecast
- Create/Modify Forecast
- User Profile
- Donate Block
- Reports

loretha.archer@bridgebellsouth.com (SP) [Sign Out](#)

**Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)**

You have requested more blocks than you will exhaust in six months

**Select One Option and Submit**

- Return to the Months To Exhaust Form
- Discard all the information provided for the request and start with a fresh Part 1A
- State Waiver Option

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